

**29 JULY 2002**

**Law**



**COURT/DISCHARGE PANEL MEMBER  
NOMINATION PROCESS**

**COMPLIANCE WITH THIS PUBLICATION IS MANDATORY**

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This instruction supplements **AFI 51-201, *Administration of Military Justice***, and outlines the procedure for submitting quarterly court/discharge panel member nomination lists. Members are made available for courts-martial and discharge boards convened by the Commander, 11th Wing. It is applicable to all assigned and attached members who will serve as members of the Court/Discharge Panel Member Nomination Process. This publication does not apply to U.S. Air Force Reserve or Air National Guard units or members.

**PRIVACY ACT WARNING STATEMENT:** This instruction requires collecting and maintaining information protected by the Privacy Act of 1974 authorized by 10 U.S.C. 8013 and E.O. 9397. Privacy Act Systems Notice "F011 AFA – Locator, Registration and Postal Directory Files" applies.

**1. Background:** Pursuant to Special Order GA-001, issued annually, the Secretary of the Air Force authorizes the 11<sup>th</sup> Wing Commander to convene general and special courts-martial pursuant to Article 22 (a)(7), Uniform Code of Military Justice. Pursuant to special order GA-001, issued annually, the Secretary of the Air Force attaches Air Force members assigned to HQ USAF, Office of the Secretary of Defense and certain Field Operating Agencies and Direct Reporting Units to the 11<sup>th</sup> Wing Commander to exercise court-martial jurisdiction.

**2. General Responsibilities:** No later than 15 March, 15 June, 15 September, and 15 December each year, the following organizations should submit a member nomination list consisting of officer and enlisted personnel in the National Capital Region available for court-martial or discharge board duty for the following quarter to 11 WG/JAM (Military Justice Section):

2.1. 11 OG

2.2. 11 MSG

2.3. 11 WG/DS

- 2.4. 11 MDG
- 2.5. 11 LG
- 2.6. HQ USAF/DP
- 2.7. HQ USAF/IL
- 2.8. HQ USAF/XI
- 2.9. HQ USAF/SG
- 2.10. HQ USAF/XP
- 2.11. HQ USAF/XO
- 2.12. AFPCA
- 2.13. AFOSR
- 2.14. SAF/PA
- 2.15. SAF/LL
- 2.16. SAF/IG
- 2.17. AFELM DIA
- 2.18. AFELM DCMA
- 2.19. AFELM NRO
- 2.20. AFELM DTRA
- 2.21. AFELM DLA
- 2.22. AFC21SRC

### **3. Responsibilities of the Nominating Commanders:**

- 3.1. The Air Force relies on commanders and staff agency directors to nominate their best officers and enlisted members for this duty. The Manual for Courts-Martial (MCM) requires the selection of court members based upon their qualifications "by reason of their age, education, training, experience, length of service and judicial temperament." Commanders should take these factors into consideration when submitting nominations. Generally, members with less than 2 years active military service should not be nominated for this duty.
- 3.2. Commanders/Directors will submit an electronic list of nominees to 11 WG/JAM by the 15th of March, June, September and December of each year. 11 WG/JAM will in turn e-mail each nominated member an electronic personal data sheet to complete.
- 3.3. Each member is nominated for the 3-month period following the submission of nominations. For example, the list submitted by 15 March nominates members for the months of April, May and June.
- 3.4. The nomination list of Air Force personnel must consist of three field grade officers, two company grade officers and two enlisted members (A1C and above) from each organization. If an organization is unable to adequately support the required number of nominees due to a small Air Force population or during times of manning shortages, such as deployments or exercises, contact the Staff Judge Advocate to make alternate arrangements.

3.5. Commanders/Directors will ensure the nomination list is e-mailed to the noncommissioned officer in charge (NCOIC) of Military Justice by appointing points of contact (POCs) to comply with this requirement. A tasker will be e-mailed with the tasking document each quarter from the NCOIC of Military Justice to appointed POCs. ([Attachment 1](#)).

3.6. An individual personal data sheet will be completed by the member nominated and submitted to the NCOIC of Military Justice, 11 WG/JAM ([Attachment 3](#)). Nominees type their information directly on the electronic version of the personal data sheet provided with the tasking document each quarter from the NCOIC of Military Justice. This will simplify updates to the individual personal data sheet, as members may be nominated for more than one quarter each year. Nominated members should contact their unit POC or the Military Justice Section to obtain the blank personal data sheet, if not already provided.

3.7. Commanders/Directors will not nominate personnel whom they know:

3.7.1. Will be on temporary duty (TDY) for more than 45 days of the 3 month period.

3.7.2. Will separate or have a permanent change of station (PCS) during the 3 month period.

3.7.3. Are on a control roster, have an unfavorable information file, or are under investigation for possible misconduct.

3.7.4. Have a disciplinary record that demonstrates that "by reason of their age, education, training, experience, length of service and judicial temperament" the nominated member is not the best nominee for service as a court member.

3.8. In the event a member selected for a court date is unable to serve due to TDY, leave, PCS, separation, or any other reason, the individual will submit a written request through their commander explaining why he/she should be excused. The member should route the letter through their unit commander to 11 WG/JA.

#### **4. Responsibilities of the Nominated Member:**

4.1. Nominated members will complete and submit a personal data sheet to the NCOIC of Military Justice, 11 WG/JAM (Bldg P-20, Room 201, or e-mail to the 11 WG/JA organization e-mail account). Nominees type their information directly on the electronic version provided. This will simplify updates to the individual personal data sheet, as members may be nominated for more than one quarter each year. The nominee will keep the personal data sheet in electronic form to update later and e-mail it to the NCOIC of Military Justice, who will incorporate it into a database for future updates. Nominated members should contact their unit POC or contact the Military Justice section to obtain the blank personal data sheet if not already provided.

4.2. The personal data sheet must list known leave and TDY scheduled for the 3 month period for which the member is being nominated. For example, nominees on the list due by 15 March must list their leave and TDY schedule for the months of April, May and June. After submission of the individual personal data sheet, the member is responsible for updating his or her leave and TDY schedule as soon as such absences are projected with the 11th Wing Legal Office Military Justice Section, to avoid being selected for court or discharge board duty that conflicts with the member's schedule.

4.3. In the event a member selected for a court date is unable to serve due to TDY, leave, PCS, separation or any other reason, the member will immediately inform his or her commander.

**5. Responsibilities of the 11th Wing Legal Office Military Justice Section:**

5.1. The Military Justice Section of the Legal Office will e-mail each responsible commander/director listed in paragraph [2.](#) of this instruction, a reminder of the quarterly submission requirement no later than 15 days prior to the due date. Attached to the notice will be a blank nomination letter format in electronic format and a blank personal data sheet in electronic format.

5.2. When preparing panels, the Legal Office will not submit names of members who have provided advance notice of conflicting TDY or leave schedules to the convening authority for consideration.

5.3. Members selected to serve on court panels will be informed directly by phone and will receive an e-mail letter ([Attachment 2](#)) explaining their duties.

WILLIAM A. CHAMBERS, Colonel, USAF  
Commander

**Attachment 1****SELECTION OF COURT MEMBERS FOR COURTS-MARTIAL AND ADMINISTRATIVE BOARD HEARINGS**

MEMORANDUM FOR \_\_\_\_\_

FROM: HQ 11 WG/CC (General Court-Martial Convening Authority)

SUBJECT: Selection of Court Members for Courts-Martial and  
Administrative Board Hearings

1. Under the provisions of Article 25, Uniform Code of Military Justice, and Rule for Courts-Martial 502, please nominate officer and enlisted members under your command to serve as court members for special and general courts-martial. Members may also be used for administrative board hearings. Members should be selected for this duty by reason of their age, education, training, experience, length of service and judicial temperament. Please send your list of nominees and their completed data sheets to HQ 11 WG/JAM, Military Justice Division, NLT \_\_\_\_\_. Once you have provided the nominee's name we will contact the member and request them to complete the attached data sheet. ([Attachment 3](#))

2. The individuals you nominate should be available to sit on courts-martial or administrative board hearings during the months of \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ 200\_. The nomination list must consist of three field grade officers, two company grade officers and two enlisted members from your organization. In addition, the commander will not submit personnel whom they know:

- a. Will be on temporary duty (TDY) for more than 45 days of the three-month period
- b. Will separate or have a permanent change of station (PCS) during the three-month period
- c. Are on a control roster, have an unfavorable information file, or are under investigation for possible misconduct
- d. Have a disciplinary record that demonstrates that "by reason of their age, education, training, experience, length of service and judicial temperament" the nominated member is not the best nominee for service as a court member.

3. 11 WG/JAM will inform members via telephone and e-mail if they are selected as court members. Courts-martial and administrative discharge boards are a vital part of every military member's development. It gives our officers and enlisted personnel firsthand experience with the military justice system and can often function as a tool for training the best for leadership. The military justice system is only as good as the people who participate in it – so nominate your best.

WILLIAM A. CHAMBERS, Colonel, USAF  
Commander

**Attachment 2****NOTIFICATION OF COURT MEMBER SELECTION, U.S. V.**

## MEMORANDUM FOR COURT-MARTIAL MEMBERS

FROM: HQ 11 WG/JA

20 MacDill Blvd, Suite 330

Bolling AFB DC 20332-0110

SUBJECT: Notification of Court Member Selection, U.S. v. \_\_\_\_\_

1. The (General)(Special) Court-Martial Convening Authority, selected you to serve on the above referenced court-martial panel. The trial date is set for \_\_\_\_\_ in the Courtroom located in Bldg 20, Third Floor, Bolling AFB, DC. On the day of the trial, please remain on telephone stand-by in your service dress uniform ready to begin at 0800 hours. You will be contacted and instructed whether to report in, or be released.
2. You were selected based on the criteria set forth in the Rule for Courts-Martial. Under this provision, the Convening Authority selected you by reason of age, education, training, experience, length of service and judicial temperament. Duty as a court member is paramount; it is not an additional duty and it takes precedence over all other activities. You may only be excused from this duty by the Convening Authority. Any requests for excusal should be based on good cause such as extraordinary military commitments or acute personal hardships. Requests for excusal will be routed through 11 WG/JAM to (11 WG/CC)(11 MSG/CC).
3. You should make no effort to determine the identity of the accused or to learn the facts of the case. You should not consult the Manual for Courts-Martial, the Uniform Code of Military Justice, or any other source of law concerning the case. Please do not discuss the case with anyone, including other court members, until the case is submitted to you for final disposition.
4. If you have any questions, please contact 11 WG/JAM, TSgt Andre Allen, at (202) 767-7586. Thank you in advance for your participation in this process.

/S/

EUGENE B. WHITAKER, Colonel, USAF

Staff Judge Advocate

## Attachment 3

## COURT/BOARD MEMBER DATA SHEET

**COURT/BOARD MEMBER DATA SHEET**  
**Bolling Air Force Base, District of Columbia**

Current as of

Name (Last, First, MI)	Grade	Duty Title
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Organization (Unit/Office Symbol)/MAJCOM	Duty Phone	Fax No.	E-Mail Address
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Rater	Date of Rank	Age	TAFMSD
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Date Assigned Station	Date of PCS Departure	Date of Separation	Sex	Race
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Marital Status	No. of Children	Gender and Age of Children	State of Residence
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Duty History-Last 3 Assignments (include base, duty title and dates of assignment)
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Post Secondary Education (include name of institution, type of degree, major and date awarded)
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Professional Military Education (include type, date completed, and how completed)
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Previous Court Martial Experience (include type, subject matter, and year of each)
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Previous Administrative Discharge Board Experience (include type, subject matter, and year of each)
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Pending TDY's /PCS/Leave/Retirement Plans and Dates (projected for 3 months)
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Any specific tasks or duties which may interfere with your ability to sit as a court/board member
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AUTHORITY: 10 U.S.C. 825, E.O. 11476, AFI 51-201 and AFI 36-3208. PRINCIPAL PURPOSES: To collect information to determine who are best qualified to serve as members of a court-martial or administrative discharge board by reason of age, education, training, experience, length of service, and judicial temperament. Use of social security number is for the positive identification of an individual. ROUTINE USES: Convening Authority will use the information to select those best qualified to serve on courts-martial or administrative discharge boards. Trial and defense counsel may use the information as basis for challenge for cause or for peremptory challenge. DISCLOSURE: Disclosure is voluntary. We request your cooperation in providing this information to expedite the selection of court or board members.